

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7044

BILL NUMBER: SB 332

NOTE PREPARED: Jan 2, 2013

BILL AMENDED:

SUBJECT: Parental Rights.

FIRST AUTHOR: Sen. Kruse

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that the liberty of parents to direct the upbringing, education, and care of their child is a fundamental right. The bill provides that Indiana law shall be administered, implemented, and interpreted consistently with this right. It also provides that an Indiana governmental entity may not burden this right unless the governmental entity demonstrates that application of the burden to the person: (1) furthers a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.

Effective Date: July 1, 2013.

Explanation of State Expenditures: This bill could increase state agency workload to demonstrate in court that an agency's actions represent a compelling government interest and is the least restrictive means of furthering that compelling government interest if said actions burden a person's right to direct the upbringing, education, or care of their child.

It is not known what government actions would require a court hearing or how often a government agency action would require the agency to defend said action in court. Actual increases in state agency workload are indeterminable.

Explanation of State Revenues:

Explanation of Local Expenditures: This bill could increase court workload to hear cases where a government agency would be required to defend actions that burden a person's right to direct the upbringing, education,

or care of their child. Actual increases are indeterminable.

Additionally, this bill could increase the workload of local government agencies to demonstrate in court that an agency's actions represent a compelling government interest and is the least restrictive means of furthering that compelling government interest if said actions burden a person's right to direct the upbringing, education, or care of their child. Actual increases in local workload are also indeterminable.

Explanation of Local Revenues:

State Agencies Affected: All.

Local Agencies Affected: All.

Information Sources:

Fiscal Analyst: Bill Brumbach, 232-9559.